

PUBLIC CHAPTER NO. 64

HOUSE BILL NO. 349

By Representatives Miller, Mike Turner, Ulysses Jones, Cooper, Moore

Substituted for: Senate Bill No. 928

By Senators Ketron, Marrero

AN ACT to amend Tennessee Code Annotated, Section 68-104-112 and Section 68-104-114, relative to fireworks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-104-112, is amended by deleting subdivision (a)(1) in its entirety and by substituting instead the following:

(1) To purchase any Class C common fireworks, a person must be at least sixteen (16) years of age. Any person sixteen (16) or seventeen (17) years of age who wishes to purchase Class C common fireworks must prove his/her age to the retailer or seasonal retailer by presenting a state-issued photo identification or be accompanied by an adult. It is unlawful to offer for retail sale or to sell any Class C common fireworks to any person under sixteen (16) years of age or to any intoxicated or irresponsible person.

SECTION 2. Tennessee Code Annotated, Section 68-104-114, is amended by adding the following new language at the end of the section:

Notwithstanding the foregoing, a violation of Section 68-104-112(a)(1) is a Class C misdemeanor punishable by a fine to the retailer or seasonal retailer of up to one hundred dollars (\$100) for the first offense, a fine of up to two hundred fifty dollars (\$250) for the second offense, and a fine of up to five hundred dollars (\$500) for subsequent offenses. Any municipality may adopt the provisions of Section 68-104-112(a)(1) by reference or substantial duplication as an ordinance violation.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: April 16, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 30th day of April 2007



PHIL BREDESEN, GOVERNOR